

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

REBECCA BROWN, *et al.*,

Plaintiffs,

v.

TRANSPORTATION SECURITY
ADMINISTRATION, *et al.*,

Defendants.

Civil Action No. 2:20-cv-00064-LPL

**JOINT MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO REPORT
AND RECOMMENDATION ON DEFENDANTS' MOTION TO DISMISS**

The parties jointly move for a three-week extension of time, from January 21, 2021 to February 11, 2021, to file their objections to the January 7, 2021 Report and Recommendation on Defendants' Motions to Dismiss (ECF No. 66).

1. On July 17, 2020, Plaintiffs filed an amended complaint. (ECF No. 43).
2. On August 28, 2020, Individual Defendant Steven Dawkin filed a motion to dismiss for failure to state an individual capacity claim. (ECF No. 47).
3. On September 18, 2020, the Government Defendants filed a motion to dismiss for lack of subject matter jurisdiction and failure to state a claim on which relief may be granted. (ECF No. 55).
4. On January 7, 2021, Magistrate Judge Lisa Pupo Lenihan issued a Report and Recommendation on Defendants' Motions to Dismiss. (ECF No. 66).
5. Pursuant to Fed. R. Civ. P. 72(b)(2) and LCvR 72.D.2, the parties' objections to the Report and Recommendation are currently due on January 21, 2021, with responses due 14 days later.

6. Counsel for all parties have conferred and jointly request an extension through February 11, 2021 to file their objections to the Report and Recommendation. The parties also jointly request a one week extension for any responses to the objections, through March 4, 2021. There is good cause to grant these joint requests.

7. Undersigned counsel for the Government Defendants is newly assigned to this case and needs some time to become familiar with this matter; he, as well as counsel for the Individual Defendant, has limited ability to turn to this matter for the next two weeks due to the press of business in other cases and the federal holidays during the week of January 18th.

8. Moreover, the parties agree that a consolidated briefing schedule for objections and responses thereto would be more efficient in this case than requiring each party to respond based on the date that the objection is filed, as would be the case absent the joint schedule requested.

9. Finally, a seven-day extension of the deadline for responses to the objections would not prejudice any party and would enable undersigned counsel to review and respond to each objection while also attending to the press of other matters.

10. Accordingly, the parties respectfully request that the Court extend the deadline for any objection to the Report and Recommendation from January 21, 2021 to February 11, 2021 and permit the parties to respond to the other parties' objections on or before March 4, 2021.

Dated: January 13, 2021

/s/ Dan Alban

Dan Alban*

VA Bar No. 72688

Jaba Tsitsuashvili*

DC Bar No. 1601246

Institute for Justice

901 North Glebe Rd., Suite 900

Arlington, VA 22203

(703) 682-9320

(703) 682-9321 (fax)

dalban@ij.org

jtsitsuashvili@ij.org

Attorneys for Plaintiffs

*Admitted *Pro Hac Vice*

Respectfully submitted,

JEFFREY BOSSERT CLARK

Acting Assistant Attorney General

SCOTT W. BRADY

United States Attorney

BRIGHAM J. BOWEN

Assistant Director

Civil Division, Federal Programs Branch

/s/ Galen N. Thorp

GALEN N. THORP (VA Bar # 75517)

Senior Trial Counsel

United States Department of Justice

Civil Division, Federal Programs Branch

1100 L Street NW

Washington, D.C. 20530

Tel: (202) 514-4781 / Fax: (202) 616-8460

galen.thorp@usdoj.gov

Counsel for Government Defendants

C. SALVATORE D'ALESSIO, JR.

Acting Director

Civil Division, Torts Branch

MARY HAMPTON MASON

Senior Trial Counsel, Torts Branch

/s/ David Inkeles

DAVID W. INKELES

Trial Attorney (NY Bar No. 5511068)*

United States Department of Justice

Civil Division, Torts Branch

Washington, DC 20044-7146

Tel: (202) 305-0401 / Fax: (202) 616-4314

E-mail: david.w.inkeles@usdoj.gov

Counsel for Individual-Capacity Defendant

*Admitted *pro hac vice*

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2021, a true and correct copy of the foregoing document was filed electronically with the Clerk of Court using the CM/ECF System, which will send a notice of electronic filing to all counsel of record.

/s/ Dan Alban